GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - PR&RD Department- Sri T.Nagaraja Naidu, the then MPDO, MPP, Bethamcherla now working as District Panchayat Officer, Kurnool District Certain allegations raised on misappropriation of funds Rs.1,23,618/- under MGNREGS in Emboy Gram Panchayat of Bethamcherla Mandal - Initiation of disciplinary proceedings under Rule 20 of the A.P. Civil Services (Classification, Control and Appeal) Rules, 1991-Article of Charges–Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.VII) DEPARTMENT

G.O.RT.No. 99 Dated: 21-02-2025

Read the following:-

1. From the Director General, ACB, Vijayawada Rc.No.21/RCO-KUR/2018, Dt:31.03.2023.
2. From the Commissioner, PR&RD, Tadepalli, Guntur Lr.No.2192266/CPR&RD/Vig.II/2023, Dt:16.04.2024.
3. From the Director General, ACB, Vijayawada Rc.No.21/RCO-KUR/2018, Dt:31.12.2024.

****

ORDER:

It is proposed to hold an inquiry against Sri T.Nagaraja Naidu, the then MPDO, MPP, Bethamcherla now working as District Panchayat Officer, Kurnool District in accordance with the procedure laid down in Rule 20 of AP Civil Service (CCA) Rules, 1991.

2. The substance of imputation of misconduct or misbehavior in respect of which the enquiry proposed to be held is set out in the enclosed statement of Articles of Charges (Annexure-1). A statement of imputation of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witness by whom the article of charges are proposed to be sustained are also enclosed (Annexure- III & IV).

3. Sri T.Nagaraja Naidu, the then MPDO,MPP, Bethamcherla working as District Panchayat Officer, Kurnool District is directed to submit written statement of his defense within 10 days of the receipt of this order.

4. He is informed that an inquiry will be held only in respect of those article of charges are not admitted. He should, therefore, specifically admit or deny each article of charge..

5. Sri T.Nagaraja Naidu, the then MPDO, MPP, Bethamcherla now working as District Panchayat Officer, Kurnool District is further informed that, if he does not submit his written statement of defense on or before the date specified in the para (3) above or otherwise fails to comply with the provisions of Rule 20 of APCS (CC&A) Rules,1991, or the orders/directions issued in pursuance of the said rules, the inquiring authority may hold the inquiry against him exparte.

6. Attention of Sri T.Nagaraja Naidu, the then MPDO,MPP, Bethamcherla now working as District Panchayat Officer, Kurnool District is invited to Rule 24 of the AP Civil Service (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matter pertaining to his service under Government , if any representation is received on him behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri T.Nagaraja Naidu, the then MPDO, MPP, Bethamcherla now working as District Panchayat Officer, Kurnool District aware of such representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the AP Civil Service (Conduct) Rules, 1964.

7. The receipt of this G.O. along with Annexure-I,II,III and IV shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri T.Nagaraja Naidu, the then MPDO, MPP, Bethamcherla now working as District Panchayat Officer, Kurnool District throughthe Director, PanchayatRaj&RuralDevelopment,Tadepalli,GunturDistrict. The Director,Panchayat Raj & Rural Development,
Tadepalli, Guntur District. (with a request to serve the above GO on the individual and furnish the served copy with dated signature of the individual immediately to the Government).
Sf/Sc)
Copy to:-

The Secretary to APVC, Velagapudi
The P.S to Dy.Chief Minister.(PR &RD)
The P.S to the Prl.Secretary to Government (PR & RD)
SF/SCs.

//FORWARDED :: BY ORDER//

SECTION OFFICER

ANNEXURE – I

STATEMENT OF ARTICLE OF CHARGES FRAMED AGAINST SRI THIRUMALA NAGARAJA NAIDU, THE THEN MPDO CUM PROGRAMMING OFFICER, BETHAMCHERLA MANDAL, NANDYAL DISTRICT NOW WORKING AS DISTRICT PANCHAYAT OFFICER, KURNOOL

That Sri Thirumala Nagaraja Naidu, Age 53 years S/o Giddaiah, worked as MPDO, Bethamcherla Mandal, Nandyal District (Herein after referred to as Government Servant) while functioning as such during the period between 24.11.2014 to 09.11.2017 committed grave misconduct as much as:

CHARGE:-

That the Government Servant, Sri Thirumala Nagaraja Naidu, MPDO/PO, Bethamcherla being is overall in charge of the implementation of the MGNREGS scheme in the Mandal. As per the recommendations of Technical Assistant, Engineering Consultant and Additional Programme Officer, he has sanctioned and uploaded the details as per Muster roll in online for payment to the beneficiary Smt. K. Ramalingamma though the scheme was not grounded and caused for misappropriation of Govt. funds to a tune of Rs.1,23,618/- and also failed to supervise the acts of his subordinates working under his administrative control.

Thus, the Government Servant Sri Thirumala Nagaraja Naidu, the then MPDO, Bethamcherla Mandal, Nandyal District by his above mentioned acts has exhibited lack of devotion to duty, failed to maintain integrity, behaved in such a manner that his conduct unbecoming of a Government Servant and thereby contravened Rules 3 (1), (2) & (5) of Andhra Pradesh Civil Services (Conduct) Rules, 1964 for major penalty.

Thus, the Government Servant Sri Thirumala Nagaraja Naidu, the then MPDO, Bethamcherla Mandal, Nandyal District rendered himself for regular departmental enquiry for major penalty under Rule 20 of APCS (CC & A) Rules, 1991.

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

ANNEXURE-II

STATEMENT OF IMPUTATION OF MISCONDUCT IN SUPPORT OF THE ARTICLES OF CHARGES FRAMED AGAINST SRI THIRUMALA NAGARAJA NAIDU, THEN MPDO CUM PROGRAMMING OFFICER, BETHAMCHERLA MANDAL, NANDYAL DISTRICT NOW WORKING AS DPO, KURNOOL.

That Sri Thirumala Nagaraja Naidu S/o Giddaiah native of Panyam village, Nandyal District. His date of birth is 26.06.1971. He joined into Government Service as MPDO through the APPSC on 21.10.1999 and posted to Bethamcherla worked from 21.10.1999 to 09.01.2003, as MPDO, Gudur from 10.01.2003 to 01.08.2007, as MPDO, Peapully from 02.08.2007 to 28.08.2008, as MPDO, Pagidyala from 29.08.2008 to 15.05.2013, as MPDO, J.Bunglow from 16.05.2013 to 25.02.2014, as MPDO, Singanamala, Anantapur from 26.02.2014 to 08.06.2014, as MPDO, MPP, J.Bunglow, from 09.06.2014 to 23.11.2014, as MPDO, Bethamcherla from 24.11.2014 to 09.11.2017 and MPDO, APD, DWMA, Kurnool. Now he is working as DPO, Kurnool. He is drawing basic pay of Rs.58,330/- in the time scale of Rs.28,940/- -Rs.78,910/-. The Government Servant retires after attaining the age of superannuation on 30.06.2033. He is hereinafter referred to as Government Servant (GS).

CHARGE:-

That the Government Servant, Sri Thirumala Nagaraja Naidu, MPDO/PO, Bethamcherla being is overall in charge of the implementation of the scheme in the Mandal. As per the recommendations of Technical Assistant, Engineering Consultant and Additional Programme Officer, he has sanctioned and uploaded the details as per Muster roll in online for payment to Smt. K. Ramalingamma (Beneficiary) though the scheme was not grounded and caused for misappropriation of Govt. funds to a tune of Rs.47,830/- out of sanctioned amount of Rs.1,23,618/- and also failed to supervise the acts of his subordinates working under his administrative control.

BRIEF FACTS OF THE CASE:

The Government of India launched the scheme "MAHATMA GANDHI NATIONAL RURAL EMPLOYMENT GUARANTEE SCHEME" (MGNREGS) to provide Direct Supplementary wage employment to the Rural Poor through public works and other programs and the scheme is being implemented all over the country. As per subsection (1) of section 14 of NREGS Act-2005, State Govt. appointed program officer for implementing this scheme in every Grampanchayat. Further, the Govt. provides Technical Staff and necessary staff to assist Programme Officer for the effective implementation of this scheme. A Grama panchayat may take up any program under a scheme within the area of Grama Panchayat as may be sanctioned by the program officer. The guidelines and procedures for identifying the beneficiaries and for making payments of bills are mentioned under NREGS are clearly furnished.

The public works relating to natural resources management also taken up and tree plantation, Horticulture are being conducted under this program at every Grama Panchayat under the supervision of Programme Officer (MPDO).

The farmers, who want to plant horticulture plants in their dry lands under NREGS, have to apply along with the proof of Aadhar, Adangal along with VRO attestation to the Programme Officer/MPDO. Upon which, Programme Officer will endorse such applications to Asst Programme Officer, Engineering Consultant, Technical Assistant, and Field Assistant for verification of land and prepare estimations. After verification of land of the beneficiary and preparation of estimations, the above officials submit the estimations to Programme Officer/MPDO. In turn, PO/MPDO will submit the same to the Project Director, DWMA online, and also a hard copy of it will be sent to PD, DWMA office for the sanction of project works. Project Director, DWMA forwards the same to the District Collector for sanction and sends back the same to PO/MPDO online and a hard copy of the application also sends to the PO/MPDO office. After receipt of work Permission, PO/MPDO will entrust the field assistant to dig the pits in the

field of farmers/beneficiaries. After due verifications by the Asst Programme officer, Engineering Consultant, Technical Assistant, and field assistant, and after making entries in M-Book regarding digging of pits in field of the farmer/beneficiary, it will be submitted to the PO/MPDO for further process. Later the beneficiary will receive plants from the PD, DWAMA and those plants will be planted in the field by the farmer/ beneficiary. After that, the staff under the control of PO/MPDO including APO will visit the field of the beneficiary to check whether the farmer planted the plants or not. Later, all the details of the plants will be recorded in M-book by the above members and submit to the PO/MPDO for sanction of the bill to the beneficiary. Upon which, PO/MPDO will recommend for sanction of bills such as labours for digging of pits, material cost, and watch & ward and transfer the amounts to their respective bank accounts directly. The beneficiary/farmer will receive amount towards expenditure bill for meeting the expenses on watch and ward every month.

While so one petition from Sri Yesayya, S/o K.Yellayya, Emboy Grama Panchayat, Rudravaram Village, Bethamcherla Mandal, Kurnool District is received with certain allegations. The petitioner Sri Yesayya made allegations against Smt. K. Ramalingamma and others of Emboy Village for misappropriation of funds under MGNREGS. In this regard the DG, ACB, AP, Vijayawada ordered vide RC.No. 43/DED-KUR/2017, Dt. 27.10.2017 and the Bureau conducted Discreet enquiry. Basing on the Discreet enquiry the DG, ACB, AP, Vijayawada ordered to conduct Regular Enquiry vide C.No.63/RE-KUR/2017, Dt.27.10.2017. Further basing on the RE Enquiry Report the DG, ACB, AP, Vijayawada ordered for registration of RCO case and accordingly a case was registered in Cr.No 2/RCO-KUR/2018 u/s 13(1) (c) and 13(1)(d) r/w 13(2) of Prevention of Corruption Act, 1988 and Sec. 409, 420 IPC on 30.01.2018 and investigated into.

REGISTRATION OF THE CASE:

As per the findings in the Regular Enquiry it was revealed that, Smt. K. Ramalingamma did not dig pits and did not plant the mango saplings in her land as per the MGNREG Scheme guidelines and misappropriated the Government funds to a tune of Rs.1,22,253.70/- with the active connivance of concerned officials/out sourcing employees. Basing on the RE Report, ordered to register a RCO case vide Memo.No.63/DED-KUR/2017, Dt: 17.01.2018. Thereafter on 30.01.2018 a case was registered in Cr.No 2/RCO-KUR/2018 u/s 13(1) (c) and 13(1)(d) r/w 13(2) of Prevention of Corruption Act, 1988 and Sec. 409, 420 IPC against Sri C. Ramesh, Field Assistant, Sri P. Radha Krishna, Technical Assistant, Sri S.Naresh, Engineering consultant, Sri D.Sreenivasulu, Addl Programme Officer and Sri T.Nagaraju Naidu, MPDO/PO, MGNREGS, and Smt. K. Ramalingamma, Rudravaram (v), Bethamcherla (m), Kurnool District (Beneficiary of MGNREGS/ Private Person).

During the investigation, Sri K.Yesaiah, the petitioner was secured and examined by the I.O., he admitted that he gave the said petition knowing the contents of the petition. Further, Sri G.Mohan Kumar, i/c MPDO, Betamcherla, Sri M.Maddileti Swamy, VRO, Pendekallu i/c Emboy, Betamcherla (M), Sri A.Nagamaddilety, VRO, Rangapuram of Betamcherla (M), Sri G.Dorababu, HC 2532, O/o DSP, ACB, Kurnool, Sri G. Sridhar, Branch Manager, Syndicate Bank, Ramallakota, Veldurthy (M), neighbouring farmers Sri K.Kumara Swamy, Rudravaram (V), Bethamcherla (M), Sri K.Tirumaleshu, Rudravaram (V), Bethamcherla (M), Sri S.Chandra Sekhar, Rudravaram (V), Bethamcherla (M), Sri M.Fazul Rahiman, MPDO, Betamcherla (M), Sri M.Venkata Subbaiah, PD, DWMA, and Sri G. Narsaiah, Prop. Sri Lakshmi Alekhya Nursery, Burrilanka (V), Kadyam (M), East Godavari District were also examined and recorded their statements.

During investigation the following documentary evidence collected.

1) Reply in Rc.No. D3/29/2017, Dt. 04.12.2017 of Project Director, DWMA, Kurnool.
2) Reply Dt.12.12.2017 of MPDO/PO, Bethamcherla Mandal, Kurnool District.

3) Reply in Rc.B.208/2017, Dt.16.12.2017 of Tahsildar, Bethamcherla Mandal, Kurnool District.
4) Reply in 3392/221/7591/ACB/KNL, Dt.21.06.2018 and written statement of Branch Manager, Syndicate Bank, Ramallakota, Kurnool District.
5) Field Observation Panchanama, Dt.12.12.2017.

6) Photographs of land belong to Smt Ramalingamma.

7) Reply in Rc.No. A8/940/2015, Dt. 18.12.2017 of CEO, Zilla Parishad, Kurnool.
8) Reply in RC No.48/ MGNREGS/2018 Dt.21.06.2018 of MPDO, Bethamcharla, Kurnool District.
9) Reply in RC No.48/ MGNREGS/2018 Dt.17.09.2018 of MPDO, Bethamcharla, Kurnool District.
10) Reply in RC No.76/HRM/2012, Dt. 25.09.2018 of Project Director, DWMA, Kurnool.
11) Lr. Rc. No. A/102/ MGNREGS/2020, Dt. 22.12.2020 of MPDO, Bethamcherla Mandal, Kurnool District.
12) Original M.Book No.1389/2016, MGNREGS, Rudravaram Habitation, Emboy G.P., Bethamcherla Mandal, Kurnool District.
13) Reply Lr. Rc.No. D7/131/ACB-Bethamcherla/2021, Dt.15.09.2021 & 20.09.2021 of the PD/Addl.DPC, MGNREGS, DWMA, Kurnool.
14) Details of FTOs regarding procurement of plant material- MGNREGS 2016-17 - Kurnool District.
15) Rc.No.31/DVC/SA/2017, Dt.29.01.2021 of District Vigilance Officer, DWMA, Kurnool District.
16) Rc.No.31/DVC/Social Audit/2017, Dt.16.03.2017 of Project Director, DWMA, Kurnool District.
17) 10^{th} round Social Audit Report, Dt.10.02.2017.
18) Rc. No. 48/MGNREGS/2016, Dt. 19.01.2017 of MPDO, Bethamcherla.
19) Proceedings No.31/DVC/SA/2017, Dt. 04.03.2017 of the PD, DWMA, Kurnool.
20) Statement of Sri K. Yesaiah S/o Yellaiah, Emboy village U/s 164 Cr.P.C. recorded by the JFCM, Spl. Mobile Court, Kurnool on 12.02.2018.
21) Rough sketch of the Scene of Offence recorded by the I.O.

Reply letters from the concerned reveal the procedure, job chart, service particulars and also bank account statement reveals about the credit of amount. It is revealed during investigation that the said amounts are credited without taking up proper work in the fields of Smt. K. Ramalingamma as per MGNREGS guidelines which establish the misappropriation of funds.

During the investigation, revealed that in this case. Smt. Kothagolla Ramalingamma was sanctioned horticulture plantation under the NREGS scheme during **July, 2016** to plant **350** Mango trees in her dry land situated in Survey No.311, 361 in an extent of 5 acres with work ID No.131843003003170549 with an estimated cost of **Rs. 6,50,071/-.** T*he MPDO, Betamcherla, sent information about details of Sanction/Release of the amount to the beneficiary Smt. K.Ramalingamma towards Work ID No.131843003003170549 i.e. Rs. 1,23,618/- was sanctioned to K.Ramalingamma, Rudravaram vide Rc.No 48/MG-MGNREGS/2018 dated 17.09.2018. Out of Rs.1,23,618/- Rs.17,640/- was paid to Sri Lakshmi Alekya Nursary by the PD, DWMA Kurnool for providing plants and transportation and amount of Rs. 57,448/- was spent towards pitting and erecting supporting sticks and same was credited to various labourers for attending for pitting. Only an amount of Rs.47,830/- alone was credited into the Bank Account of* K. Ramalingamma, Rudravaram (v), Bethamcherla (m), Kurnool District *towards grounding plants, watering, fertilizer, and watch & ward of 350 mango plantations. Hence* K. Ramalingamma *dishonestly misappropriated an amount of Rs.47,830/- out of Rs.1,23,618/- under MGNREG Scheme. He also sent information about the details of employees who are involved in sanction physical verification of plants, and recommendation for the payment to the beneficiary Smt. K.Ramalingamma i.e. Sri C.Ramesh, Field Asst., Sri P.Radha Krishna, Technical Asst, Sri S.Naresh, Engineering consultant, Sri D.Sreenivasulu, Addl*

Programme Officer and Sri T.Nagaraju Naidu, MPDO, PO are responsible for recommendation of illegal payment of Rs.1,23,618/ thereby caused loss to exchequer of the Government.

During the investigation, *a letter was addressed to the Branch Manager, Syndicate bank, Ramallakota, and obtained bank statement of Smt. K.Ramalingamma and an amount of* ***Rs.32,802/-*** *was credited periodically from MGNREGS to the Bank A/c No.33922210007591 for Watering, purchase of fertilizer, chemicals and an amount of* ***Rs. 14,608/-*** *towards Watch and ward of the plants. Further an amount of* ***Rs.420/-*** *was credited to the Post Office Account of* K. Ramalingamma *towards internal transportation of plants.*

The Inspector Sri. M.Nagabhushanam caused physical inspection of the land belongs to Smt. Ramalingamma in the presence of mediators, it is noticed that Smt. Ramalingamma planted only 50 plants in her land in Survey No. 335/1 of Emboy village instead of sanctioned 350 plants. The same facts were covered under Panchanama. Under the above circumstances, it is established that, Smt. Ramalingamma cheated the Govt. and claimed an amount of Rs.47,830/-/- (Rs.33,222/- + Rs.14,608/-) towards watering, fertilizers, and watch & ward without grounding mango plantation.

Job chart of Sri T. Nagaraja Naidu, Project Officer (PO):

i) The Programme Officer is the overall in-charge of all MGNREGS works in the Block.
ii) The Programme Officer can be taken on a deputation basis or recruited afresh and the Programme Officer will not be below the rank of the Block Development Officer.
iii) In case of the absence of such exclusive officers, the BDO can be the PO and an Additional PO, exclusively for MGNREGS, assisting the BDO must be deployed, on a contractual basis or otherwise.
iv) The Programme Officer reports to PD, DWMA and Additional DPC of the district.
v) The responsibilities of Programme Officers are as below:

a. Provide wage employment to all the households who make a demand for unskilled manual work.
b. Ensure that the rights and entitlements detailed out in the act such as the issue of Job cards, providing 100 days of work, weekly payments, worksite facilities, medical and ex gratia related rights etc are delivered to wage seekers.
c. Ensure the payment of unemployment allowance as per the provisions of the Act after a due enquiry into the evidence leading to such payment.
d. Prepare the Annual Labour Budget and maintain a sufficient shelf of projects to match the labour demand.
e. Assist the Block Panchayat in discharging its functions under the scheme.
f. Receive GP plans, scrutinize and consolidate the plans.
g. Ensure regular social audits and take follow up actions on findings/recommendations of Social Audit.
h. Liaison between the GPs and the Block as also between Block and District for all purposes of correspondence and communication.
i. Monitor and review the implementation of the scheme.
j. Inspect works and worksites at regular intervals and ensure that all workers have access to the scheme.
k. Ensure timely payment and fair payment of wages to all labourers employed under the scheme.
l. The PO shall check the Muster rolls by taking actual roll calls and sign in the muster roll for at least 2 musters per day 4 days a week.
m. Ensure transparency in the implementation of the Scheme by strictly following provisions and the Right to Information Act viz.,
   - Displaying paid muster rolls on the notice board of the GP.
   - Reading out muster rolls at the time of closure of work.
   - Sharing the information such as copies of Sanctioned works, work commencement letters, paid muster rolls, Pay orders etc with GPs.

n. Liaison with Banks and Post Offices in the opening of new accounts and making timely payments to labour regularly.
o. Collect Complaints/ grievances and redress the same.

BASIS OF THE CHARGE AGAINST SRI T. NAGARAJA NAIDU, PROGRAMMING OFFICER:

Sri T. Nagaraja Naidu, Programme Officer is overall in charge of the implementation of the scheme in the Mandal. He recommends payment relating to works basing on the recommendations of Technical Asst. and Engineering Consultant who records M. Book and Check Measures respectively. As per the Job Chart, he has to check the Muster rolls by taking actual roll call at the worksite and sign in the muster roll, verification of all the works executed in his jurisdiction, he shall monitor and supervise the works in the Block. He is overall in charge of the Programme at the Mandal level.

Findings:

During investigation the following information was ascertained in this case. Smt. Kothagolla Ramalingamma was sanctioned horticulture plantation under the MGNREGS scheme during July, 2016 to plant 350 Mango trees in her dry land situated in Sy.No.311, 361 in an extent of 5 acres with work ID No.131843003003170549 with an estimated cost of Rs. 6,50,071/-.

Further, a letter has been addressed to the MPDO, Betamcherla, and obtained replies about details of 1) Sanction/Release of the amount to the beneficiary Smt. K. Ramalingamma towards Work ID No.131843003003170549 and 2) About the details of employees who are involved in sanction and physical verification of plants, and recommendation for the payment to the beneficiary Smt. K. Ramalingamma. The details are as follows.

1) Details of amount sanctioned for Work ID No. 131843003003170549:

S. No	Name of Beneficiary	Name of the Village	Pitting & Planting Amount	Material cost	Watch and ward cost	Total (in Rs.)
1	K. Ramalingamma	Rudravaram	57,448/-	51,562/-	14,608/-	**1,23,618/-**

2) Public Servants involved in implementing the scheme to Smt. K. Ramalingamma:

a) Sri C. Ramesh, Field Assistant
b) Sri P. Radha Krishna, Technical Assistant
c) Sri S. Naresh, Engineering Consultant
d) Sri D. Srinivasulu, Addl. Programme Officer
e) Sri T. Nagaraju Naidu, MPDO/PO

As such, the above employees are responsible for the recommendation of illegal payment of **Rs. 1,23,618/-** towards work ID No.131843003003170549 and thereby caused loss to the exchequer of the Government.

Reply from the MPDO has been obtained and the details of the amount spent are as follows:

S. No.	Purpose of Amount spent	Spent Amount (in Rs.)	To whom amount given	Mode of payment
1	Pitting, planting, and erecting supporting sticks	**57,448/-**	**Labourers**	**Bank**
2	Purchase of plant material (including 20% extra for casualty)	14,700/-	**Sri Lakshmi Alekhya Nursery**.	**Bank**
	External Plant transportation up to 5 Km.	710/-		**Bank**
	External Plant transportation beyond 5 Kms.	2230/-		**Bank**
	Total	**17,640/-**		
4	Cost of internal transportation of plants	420/-	**Ramalingamma**	**Post Office**
5	Watering the plants during the non-Rainy days for First Year	5810/-		**Bank**
6	Watering the plants during the non-Rainy days for First Year	5644/-		**Bank**
7	Watering the plants during the non-Rainy days for First Year	5810/-		**Bank**
8	Cost of fertilizers, chemicals, etc.,	4250/-		**Bank**
9	Watering the plants during the non-Rainy days for First Year	5644/-		**Bank**
10	Watering the plants during the non-Rainy days for First Year	5644/-		**Bank**
	Total	**33,222/-**		
11	Watch and Ward of plants	**14,608/-**	**Ramalingamma**	**Bank**

During the investigation, a letter has been addressed to the Branch Manager, Syndicate Bank, Ramallakota, and obtained a bank statement of Smt. K. Ramalingamma and the amount of **Rs. 32,802/-** was credited periodically from MGNREGS to the Bank A/c No.33922210007591 for Watering, purchase of fertilizer, chemicals and an amount of **Rs. 14,608/-** towards Watch and ward of the plants. Further an amount of **Rs. 420/-** was credited to the Post Office Account of Smt. K. Ramalingamma towards internal transportation of plants.

Details of amounts credited towards Watering and fertilizer:

S. No	Date of transaction	The amount credited to Ramalingammma's account from the account of	Amount in Rs.
1	16.05.2017	MGNREGS02SNMSH/N05172 03807725	**4,250**

2	16.05.2017	MGNREGS02SNMSH/N05172 03752723	**5,644**
3	16.05.2017	MGNREGS02SNMSH/N05172 03752724	**5,644**
4	16.05.2017	MGNREGS02SNMSH/N05172 03634019	**5,810**
5	16.05.2017	MGNRGES02SNMSH/N05172 0	**5,644**
6	16.05.2017	MGNRGES02SNMSH/N05172 0	**5,810**
		Total	**32,802**

Details of amounts credited towards Watch and ward:

Sl. No.	**Date of transaction**	**The amount credited to Ramalingamma's account from the account of**	**Amount in Rs.**
1	07.12.2016	NREGA020AB/9131600016 0036	1,179/-
2	07.12.2016	NREGA020AB/9131600015 0987	1,179/-
3	07.12.2016	NREGA020AB/9131600016 0020	730/-
4	25.01.2017	CPSMSAB/N0117022056 0	1,179/-
5	28.03.2017	CPSMSAB/N031721378417 0	1,179/-
6	28.03.2017	CPSMSAB/N031721378418 0	1,179/-
7	11.04.2017	MGNREG02SNRSH/N04171 01430358	1,194/-
8	11.04.2017	MGNREG02SNRSH/N04171 01431205	1,194/-
9	24.04.2017	CPSMSAB/N041712559433 0	1,194/-
10	24.04.2017	CPSMSAB/N041721559432 0	1,194/-
11	10.05.2017	CPSMSAB/N051708562312 0	1,212/-
12	23.10.2017	CPSMSAB/N081720707228 0	798/-
13	05.12.2017	CPSMSAB/N111702991753 0	1,197/-
		Total	**14,608/-**

The then Inspector Sri M. Nagabhushanam caused physical inspection of the land belongs to Smt. Ramalingamma in the presence of mediators, it is noticed that only 50 plants of two years age-old are found in her land in Survey No. 335/1 of Emboy village and the remaining land was found barren. The same facts were covered under Panchanama. Under the above circumstances, it is established that, Smt. Ramalingamma cheated the Govt. and claimed an amount of **Rs.47,830/-** (**Rs.33,222/- + Rs. 14,608/-)** towards **watering, fertilizers, and watch & ward** without grounding mango plantation.

The SO/MPDO, Betamcherla furnished that an amount of Rs. 1,23,618/- was released towards mango plantation sanctioned to Smt. Ramalingamma vide work ID No.131843003003170549 through reply in Rc.No.48/MG-MGNREGS/2018, Dt.17.09.2018. Out of Rs. 1,23,618/- Rs. 17,640/- was paid to Sri Lakshmi Alekhya Nursery by the P.D, DWMA, Kurnool for providing plants and transportation, an amount of Rs. 57,448/- was spent towards pitting and erecting supporting sticks and the same was credited to various labourers for attending for pitting. An amount of Rs. 47,830/- alone was credited into the bank account of Smt. Ramalingamma towards grounding plants, watering, fertilizer, and watch & ward of 350 mango plantations.

The Rough sketch of the fields of Smt. K. Ramalingamma drawn by the IO.

In this case Final Report was sent to the Government recommending for departmental action against Government Servant Sri T. Nagaraja Naidu, MPDO/PO, Bethamcherla Mandal. Further in the final report it is recommended to the Government for Prosecution of other employees and beneficiary and the Government issued Proceedings vide Proceedings. No. 2158/SRDS/PN-DM/2023, Dt: 06/09/2023 for the prosecution of Sri Chalamakuri Ramesh, Field Assistant (Temporary), Emboy Gram Panchayathi, O/o MPDO, Bethamcherla Mandal, Nandyal District and Proceedings. No. 2158/SRDS/PN-DM/2023, Dt: 06/09/2023 of Commissioner, RD & CEO, SRDS, PVS ICON Tadepalli, Amaravati, Guntur District for the prosecution of Sri S. Naresh, Engineering Consultant, Bethamcherla Mandal, Nandyal District as well as for prosecution of other employees and Proceedings. No. 2158/SRDS/PN-DM/2023, Dt: 01/09/2023 for the prosecution of Sri P.Radha Krishna, Technical Assistant, Bethamcherla Mandal, Nandyal District. As such Charge Sheet was filed on the above employees as well as Smt. K. Ramalingamma (Beneficiary) for misappropriation of Govt. funds in the Hon'ble ACB, Court, Kurnool along with original documents 13.12.2023 and the case is PT vide CC.No.03/2024, Dt.12.01.2024 of Hon'ble ACB Court, Kurnool.

Being a Government Servant, by his above-mentioned acts failed to supervise the acts of his subordinates working under his administrative control.

Thus, the Government Servant, Sri Thirumala Nagaraja Naidu, the then MPDO, Bethamcherla Mandal, Nandyal District by his above mentioned acts exhibited a lack of devotion to duty, failed to maintain integrity, behaved in a manner unbecoming of a Government Servant and thereby contravened Rules 3 (1), (2) & (5) of Andhra Pradesh Civil Services (Conduct) Rules-1964 for major penalty.

Thus, the Government Servant, Sri Thirumala Nagaraja Naidu, the then MPDO, Bethamcherla Mandal, Nandyal District rendered himself for regular departmental enquiry for major penalty under Rule 20 of APCS (CC & A) Rules, 1991.

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

ANNEXURE –III

LIST OF ORAL EVIDENCE BY WHOM WHICH THE ARTICLE OF CHARGES FRAMED AGAINST SRI THIRUMALA NAGARAJA NAIDU, THEN MPDO CUM PROGRAMMING OFFICER, BETHAMCHERLA MANDAL, NANDYAL DISTRICT NOW WORKING AS DPO, KURNOOL ARE PROPOSED TO BE SUSTAINED:

The following oral evidence is available on record.

1. Sri K. Yesaiah S/o Yellaiah, Rudravaram (v), Bethamcherla (M), Kurnool District: He speaks about the facts of his petition on misappropriation of funds under MGNREGS in Emboy Village of Nandyal District, and his statement before the Hon'ble Magistrate of 1st Class (Special Mobile Court), Kurnool U/s 164 Cr.P.C. on 12.02.2018 and etc., facts.

2. Sri G. Mohan Kumar, MPDO/PO, Bethamcherla Mandal: He speaks about the process of the plantation of the horticulture plants in the dry lands under MGNREGS programme and also furnishing of Reply letter vide RC No.48/ MGNREGS/2018 Dt.17.09.2018 pertaining to release of amount to Smt. K. Ramalingamma and etc., facts.

3. Sri M. Maddileti Swamy, VRO, Pendekallu i/c Emboy village: He is Mediator-I speaks about the inspection of the land to an extent of 2 acres in Survey Nos.335/1, to an extent of 1.5 acres in Sy. No.311 and to an extent of 1.5 acres in Sy.No.361 of Emboy village of Bethamcherla Mandal belongs to Smt. Kothagolla Ramalingamma along with Mediator–II on 12.12.2017 and dictating field observation panchanama and etc., facts.

4. Sri Avula Naga Maddileti, VRO, Rangapuram Village, Bethamcherla Mandal: He is a mediator–II would corroborate the version of Mediator-I in all material aspects and etc., facts.

5. Sri G. Dorababu, HC 2532, Head Constable, ACB, Kurnool Range, Kurnool: He speaks about that his participating in field inspection on 12.12.2017 and etc., facts.

6. Sri Gunari Sridhar, S/o Chadrasekharaiah, 34 years, Branch Manager, Syndicate Bank, Ramallakota, Veldurthy Mandal, Kurnool District: He speaks about the furnishing Bank Statement of Bank A/c bearing No. 3392221007591 belongs to Smt. Kothagolla Ramalingamma and etc., facts.

7. Sri K. Kumara Swamy, a neighbouring farmer, Rudravaram village, Bethamcherla Mandal, Kurnool District: He speaks about that he is neighbouring farmer beside the lands of Smt. K.Ramalingamma and that no mango plants were planted in the lands of Smt. K.Ramalingamma and etc., facts.

8. Sri K. Thirumaleshu, a neighbouring farmer, Rudravaram village, Bethamcherla Mandal, Kurnool District: He speaks about that he is neighbouring farmer beside the lands of Smt. K.Ramalingamma and that no mango plants were planted in the lands of Smt. K.Ramalingamma and etc., facts.

9. Sri S. Chandra Sekhar, a neighbouring farmer, Rudravaram village, Bethamcherla Mandal, Kurnool District: He speaks about that he is neighbouring farmer beside the lands of Smt. K.Ramalingamma and that no mango plants were planted in the lands of Smt. K.Ramalingamma and etc., facts.

10. Sri M.Fazul Rahiman, M.P.D.O., Bethamcherla Mandal, Kurnool District: He speaks about his furnishing of reply letter vide RC No.48/ MGNREGS/2018 Dt.21.06.2018 along with service particulars of Fixed Tenure Employees viz., Sri D.Srinivasulu, Sri S.Naresh, Sri P.Radha Krishna and Sri C.Ramesh and another reply letter vide RC No.48/ MGNREGS/2018 Dt.21.06.2018 along with a copy of Gram panchayat resolution recommending to ground horticulture plants in the land of Smt. Kotthagolla Ramalingamma of Rudravaram (v), Bethamcherla (M) under NRGES project and also job chart of FTEs and plantation report and etc. facts.

11. Sri M. Venkata Subbaiah, PD, District Water Management Agency (DWMA), Kurnool: He speaks about MGNREG Scheme guidelines and process of the plantation of the horticulture plants in the dry lands under MGNREGS programme and etc., facts.

12. Sri Gatti Narsaiah, age 54 years, S/o Satyanarayana Murthy, Prop. Sri Lakshmi Alekhya Nursery, H.No.4-178, Ratnamvari Veedhi, Burrilanka village, Kadiyam Mandal, East Godavari District: He speaks about the supplying of horticulture plants i.e. Mango, Guava, Coconut etc. to DWMA, Kurnool and etc., facts.

13. Sri B. Amaranatha Reddy, Project Director/Addl. DPC, MGNREGS, DWMA, Kurnool: To speak the facts of furnishing the information of payments made to the beneficiaries towards pitting, plant material, transportation, watering, fertilizers, watch and ward in the fields of Smt. K. Ramalingamma and also furnishing 1) Replies to IO vide Lr. Rc.No. D7/131/ACB-Bethamcherla/2021, Dt. 15.09.2021 & 20.09.2021 of the PD/Addl.DPC, MGNREGS, DWMA, Kurnool, 2)

Rc.No.31/DVC/SA/2017, Dt.29.01.2021 of District Vigilance Officer, DWMA, Kurnool District and etc, facts.

14. Sri M. Nagabhushanam, Inspector of Police, ACB, Kurnool Range, Kurnool: To speak to the facts of his Petition enquiry, conducting field inspection, recommending for Regular Enquiry, conducting RE recommending for registration of case and registering the case and examination of LWs.1 & filed a Requisition to record U/s 164 Cr.PC of the complainant and etc. facts.

15. Sri S. Khader Basha, Inspector of Police, ACB, Kurnool Range, Kurnool: To speak to the facts, his further investigation and examination of LWs.1 to 11, forwarding the material objects to the Hon'ble ACB Court, submission of Draft final report to the DG, ACB, AP, Vijayawada and etc. facts.

16. Sri S.D. Tejeswar Rao, Inspector of Police, ACB, Kurnool Range, Kurnool: To speak to the facts of his further investigation and examination of LWs.12 & 13, securing reply letters from the concerned and also securing documents i.e a) Proceedings copy Rc.No.31/DVC/Social Audit/2017, Dt.16.03.2017 of Project Director, DWMA, Kurnool District pertaining to Charge Memo issued to Sri P. Radhakrishna b) 10th round Social Audit Report, Dt.10.02.2017 & c) RC.No.48/MGNREGS/2016, Dt. 19.01.2017 of MPDO, Bethamcherla addressed to PD, DWMA, Kurnool pertaining to Bio data of Sri C. Ramesh d) Proceedings No.31/DVC/SA/2017, Dt. 04.03.2017 of the PD, DWMA, Kurnool, submission of Revised Draft final report, receiving of Sanction Orders for prosecution against Govt. Servants & Filing charge sheet and etc., facts.

17. Sri M.V. Krishna Reddy, Inspector of Police, ACB,, Kurnool: To speak about the submission of DACs to the Head Office and etc. facts.

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

ANNEXURE –IV

LIST OF DOCUMENTARY EVIDENCE BY WHOM WHICH THE ARTICLE OF CHARGES FRAMED AGAINST SRI THIRUMALA NAGARAJA NAIDU, THEN MPDO CUM PROGRAMMING OFFICER, BETHAMCHERLA MANDAL, NANDYAL DISTRICT NOW WORKING AS DPO, KURNOOL ARE PROPOSED TO BE SUSTAINED:

1. Reply in Rc.No.D3/29/2017, Dt. 04.12.2017 of Project Director, DWMA, Kurnool: The sanction of horticulture plantation to Smt. K.Ramalingamma through work ID No.131843003003170549 along with estimation copy, maintenance, and payment order and the expenditure Rs.72,056/- towards wages and Rs.50,862/- towards material payment and watering, etc. facts.

2. Reply Dt: 12.12.2017 of MPDO/PO, Bethamcherla Mandal: The details of officials connected with work ID: 131843003003170549 and its expenditure Rs.1,22,252.70/- with the break-up amounts under various heads. Such as Rs.50,251.56 towards pitting amount, Rs.3,850/-towards Planting amount, Rs.50,862/- towards Material cost for plant cost, and Rs.17,289/- towards watch and ward cost, etc facts.

3. Reply in Rc.B.208/2017, Dt.16.12.2017 of Tahsildar, Bethamcherla Mandal, Kurnool Dist.

4. Reply in 3392/221/7591/ACB/KNL, Dt.21.06.2018 and written statement of Branch Manager, Syndicate Bank, Ramallakota, Kurnool Dist.

5. Field Observation Panchanama, Dt.12.12.2017.

6. Photographs of land belong to Smt. Ramalingamma.

7. Reply in Rc.No. A8/940/2015, Dt. 18.12.2017 of CEO, Zilla Parishad, Kurnool.

8. Reply in RC No.48/ MGNREGS/2018 Dt.21.06.2018 of MPDO, Bethamcharla, Kurnool District speaks about the furnishing of Service Particulars of Sri C.Ramesh, Field Assistant, Sri S.Naresh, Engineering Consultant, Sri Devisetty Sreenivasulu Additional Programme officer, Sri Thirumala Nagaraja Naidu, MPDO cum Programming officer and furnishing the Gramapanchayath resolution of Emboy Village for recommended to NREGS work in the land of Smt. Kothagolla Ramalingamma of Rudravaram Village, Bethamcharla Mandal and Details of FTOs regarding the procurement of Plant material – MGNREGS 2016-17 containing the signature of Sri S.P.Radha Krishna, Technical Asst.

9. Reply in RC No.48/ MGNREGS/2018 Dt.17.09.2018 of MPDO, Bethamcharla, Kurnool District speaks about the details of the amount spent towards mango plantation sanctioned to Smt. K. Ramalingamma vide Work ID No. 131843003003170549. On verification of details of the amount spent towards work ID No.131843003003170549 sanctioned to Smt. K.Ramalingamma it is noticed that a total amount of **Rs.1,22,253/-** was released for the above work ID. Out of the above-released total, an amount of **Rs.17,640/-** was released to Sri Lakshmi Alaikhya Nursery by the PD, DWMA for providing plants and transportation, an amount of **Rs.54,101/-** was spent towards Pitting and erecting supporting sticks and the same was credited to various labourers who attended for pitting.

10. Reply in RC No.76/HRM/2012, Dt. 25.09.2018 of Project Director, DWMA, Kurnool speaks about Disciplinary Rules for Fixed Tenure Employees (FTEs) of Society for Rural Development Services (SRDS).

11. Lr. Rc. No. A/102/ MGNREGS/2020, Dt. 22.12.2020 of MPDO, Bethamcherla Mandal, Kurnool District speaks about the documents i.e. 1) Proposals of MPDO/PO, Bethamcherla Mandal for posting of Sri C.Ramesh as Sr. mate, 2) Gram Panchayath resolution, 3) Work estimation, 4) Administrative sanction Proceedings, 5) Work commencement letter, 6) Beneficiary Application Form &

Passbook, 7) Original Musters & Pay Orders, 8) Original M.Book No.1389/2016, 9) Material Payment Order, 10) Fund Transfer Order, 11) Maxi size photographs etc. about the Horticulture Programme under MGNREGS implemented in Rudravaram village of Emboy Gram Panchayath, Bethamcherla Mandal, Kurnool District with work ID No. 131843003003170549 allotted to Smt. K. Ramalingamma W/o Venkatramudu, Rudravaram village, 12) Social Audit Report, dt.13-02-2017, 13) Payment order of Sri C. Ramesh, Sr. mate and 14) Proceedings of PD, DWMA, Kurnool for Termination of Sri C. Ramesh, Sr. mate from services.

12. Original M.Book No.1389/2016, MGNREGS, Rudravaram Habitation, Emboy G.P., Bethamcherla Mandal, Kurnool District speaks about the all these documents contain the signatures of Sri S.P. Radha Krishna, Technical Asst in proof of the role of Government Servant.

13. Reply Lr. Rc.No. D7/131/ACB-Bethamcherla/2021, Dt.15.09.2021 & 20.09.2021 of the PD/Addl.DPC, MGNREGS, DWMA, Kurnool.

14. Farmer Acknowledgments Mandal wise, village wise & Farmer wise receiving of Horticulture plant material to the beneficiaries for 2016-17 – MGNREGS-Kurnool District.

15. Reply letter Rc.No.31/DVC/SA/2017, Dt.29.01.2021 of Project Director/Addl. DPC, DWMA, Kurnool District.

16. Rc.No.31/DVC/Social Audit/2017, Dt.16.03.2017 of Project Director, DWMA, Kurnool District.

17. 10th round Social Audit Report, Dt.10.02.2017.

18. Reply letter Rc. No. 48/MGNREGS/2016, Dt. 19.01.2017 of MPDO, Bethamcherla.

19. Proceedings No.31/DVC/SA/2017, Dt. 04.03.2017 of the PD, DWMA, Kurnool.

20. Statement of Sri K. Yesaiah S/o Yellaiah, Emboy village U/s 164 Cr.P.C. recorded by the JFCM, Spl. Mobile Court, Kurnool on 12.02.2018.

21. Rough sketch of the Scene of Offence recorded by the I.O.

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT